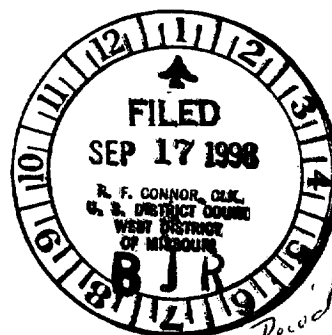


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION



B. JEAN WEBB,

Plaintiff,

v.

CITY OF REPUBLIC, MISSOURI,

Defendant.

Case No. 98-3306-CV-S-RGC

PROPOSED SCHEDULING ORDER/DISCOVERY PLAN

On September 14, 1998, the parties held a telephone conference and discussed initial disclosures and discovery planning in compliance with Rule 26(f), Fed. R. Civ. P., and Local Rule 26.1(a). The parties now file this Proposed Scheduling Order/Discovery Plan in compliance with the requirements of Rule 26(f), Fed. R. Civ. P., and Local Rule 26.1(c).

I. Adding Parties

Any motion to join additional parties will be filed on or before December 28, 1998. This date is consistent with the timing suggested by Local Rule 16.1(f)(1) and is proposed because it provides the parties with sufficient time to determine the need for additional parties and for filing the necessary motions.

II. Amending the Pleadings

Any motion to amend the pleadings will be filed on or before December 28, 1998. This date is consistent with the timing suggested by Local Rule 16.1(f)(2) and is proposed because it provides the parties with sufficient time to determine the need for amending the pleadings and for filing the necessary motions.

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III. Motions

All *discovery motions* will be filed on or before December 28, 1998.

Subject to the provisions of Rule 12(h)(2), Fed. R. Civ. P., *dispositive motions* will be filed by January 28, 1999. These dates are proposed because they are consistent with the proposed discovery deadline of December 28, 1998, and with the timing suggested by Local Rule 16.1(f)(2 & 3).

IV. Discovery Plan

1. All pretrial discovery authorized by the Federal Rules of Civil Procedure will be completed on or before December 28, 1998.

2. The following facts were considered by counsel in arriving at the date proposed in paragraph 1 above: Most of the material facts in this case are undisputed.

3. The parties will make the initial disclosures required by Rule 26(a)(1), Fed. R. Civ. P., and Local Rule 26.1(a) on or before September 24, 1998.

4. On or before the date proposed in paragraph 1 above, the parties intend to initiate and complete discovery into disputed issues of material fact raised by the pleadings, including the meaning of the fish symbol used in the City's seal and the plaintiff's standing.

Specifically, the parties will engage in the discovery listed below:

Plaintiff

Depositions: Plaintiff does not anticipate taking any depositions at this time, but plaintiff reserves the right to depose witnesses identified in the course of discovery.

Interrogatories, requests for production of documents, and requests for admissions to the extent necessary to supplement the defendant's initial disclosures pursuant to Rule 26(a)(1), Fed.

R. Civ. P.

Defendant

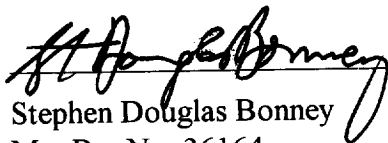
Depositions of plaintiff and other witnesses identified in the course of discovery.

Interrogatories, requests for production of documents, and requests for admissions to the extent necessary to supplement the plaintiff's initial disclosures pursuant to Rule 26(a)(1), Fed. R. Civ. P.

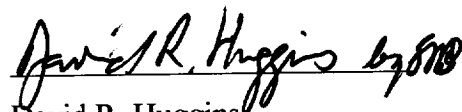
V. Trial

A. The parties estimate that this case will take, at most, 2 to 3 days to try because the parties believe relatively few factual issues will exist for trial.

B. The parties suggest that this case should be ready for trial on or after June 1999.


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